

**COMMISSION CONFERENCE****APRIL 17, 2001**Agenda  
ItemPage

I-A	Barrier Island Issues – Central Beach Area Zoning Districts, Floor Area Ratio (FAR) Regulations, and SLA Zoning District .....	1
I-B	Sunrise Boulevard Improvements (I-95 to Searstown) .....	8
I-C	City of Miami Beach Zoning Regulations .....	5
II-A	Closing of Cleveland Clinic – Barrier Island .....	11
II-B	Purchasing Contract Renewals/Extensions (July-September, 2001) .....	14
II-C	Parks General Obligation Bond (GOB) Quarterly Report – First Quarter 2001 (January – March) .....	15
III-B	Advisory Board Vacancies:	
	1. Budget Advisory Board (Deferred) .....	16
	2. Cemeteries Board of Trustees .....	16
	3. Community Appearance Board .....	16
	4. Community Services Board (Deferred) .....	16
	5. Education Advisory Board .....	17
	6. Marine Advisory Board (Deferred) .....	17
	7. Unsafe Structures & Housing Appeals Board (Deferred) .....	17
	8. Nuisance Abatement Board .....	17
IV	City Commission Reports:	
	1. State Road 7 Corridor Planning Initiative .....	17
	2. Flamingo Park .....	17
	3. Elevator Key .....	18
	4. Expansion of Roadway – South Side of Airport .....	18
	5. Victoria Park .....	18
	6. Beach Placing Lighting .....	19
	7. Concurrency Exemption – Transportation .....	19
	8. Land Preservation and Acquisition Board .....	19
	9. Joint Meeting with County .....	21
	10. Legislative Report .....	21
	11. MPO Study for Oakland Park Boulevard Exit of Turnpike .....	22
	12. Board of Adjustment .....	22
	13. FAU Design Committee .....	22
	14. McKutchen Trial .....	23
	15. National League of Cities .....	23

Agenda  
Item

Page

V

City Manager Reports:

1. Cherry Building ..... 23
2. NFBPA Conference in Las Vegas ..... 23

Present: Mayor Naugle  
Commissioners Hutchinson, Katz, Moore and Smith

Also Present: City Manager, City Attorney, City Clerk and Police Sergeant

**I-A – Barrier Island Issues – Central Beach Area Zoning Districts,  
Floor Area Ratio (FAR) Regulations, and SLA Zoning District**

A discussion was scheduled on Central Beach Area zoning districts, floor area ratio (FAR) regulations, and the SLA zoning district. Notice of the public discussion was published on April 7, 2001. Mr. Chris Wren, Manager, Office of Community and Comprehensive Planning, stated that the first part of this item contained elements of the Community Input generated from the barrier island issues as well as an update of the Consultant Report by Kimley-Horn & Associates, Inc.

Mr. Wren stated that Commissioner Smith had requested consideration of amending the Zoning Code for the SLA district to impose a height restriction of 80' or less for any request to modify required setbacks. The third part of the issue involved consideration of amending Section 47-2.2 to require garages to be included as part of the FAR calculations for non-residential uses east of the Intracoastal Waterway.

Mr. Wren recalled that at its March 20, 2001 meeting, the Commission had requested a special workshop to allow members of the community to present their ideas and opinions about the issues related to the barrier island. That workshop had been held, and a Friday memo had been sent to the Commission yesterday. He advised that there were people present, who had attended the workshop and would probably provide an overview,

Mr. Wren advised that the Beach Redevelopment Advisory Board had requested presentation of the various barrier island study issues, and it had passed a motion by a vote of 6 to 1, of which he quoted a portion:

Advise the Commission there was a recommendation to offer from the floor that the Urban Land Institute (ULI) be brought in and funded privately, not at taxpayers' expense, to take advantage of and before any other study proposal was acted on by the City Commission.

Mr. Wren stated that the consultant's report was not on the agenda this afternoon, but staff had received a letter from Kimley-Horn last week indicating they were no longer making recommendations. However, the letter went on, and it sounded as if they were presenting some information, so staff was uncertain about the consultant's product was at that point. Therefore, staff had needed some time to sort it out. Mr. Wren had received a call from Kimley-Horn this morning indicating they were no longer planning to follow their contractual obligations. He understood the City could do what it wished with the work products, and Kimley-Horn planned to refund the amount paid by the City. He noted that this information had come only by telephone, and something in writing would be necessary.

Mayor Naugle hoped Kimley-Horn would not do any more jobs for the City. Mr. Wren did not know what the legal ramifications were, so he needed time to sort this out. Commissioner Moore preferred not to discuss this subject in a public forum with only “he said, she said” information. He preferred to err on the side of caution. Mayor Naugle thought someone was trying to sabotage the City’s zoning in progress. Commissioner Smith was unclear on this issue. He wondered if the consultant had been confused about what they were supposed to study or did not have a grasp of the information. Mr. Wren said he would have to sort everything out, but his first conversation with the consultant had indicated a concern about a possible conflict with some other clients. Therefore, they could not recommend zoning changes on the one hand and development proposals on the other.

Mayor Naugle understood a consultant had been hired who was also working on some development projects. Mr. Wren said that was his understanding at this point, and Commissioner Smith wondered if there were any consultants for this kind of work who were not working on development projects. Commissioner Moore desired the City Attorney’s opinion about the direction of this conversation. Mayor Naugle was concerned about protecting the citizens, and he wanted to learn the truth. It sounded as if some developers had told the consultant that they better pull back. He wanted to protect the beach from further degradation by reinstating some reasonable development requirements. Mayor Naugle thought there had been some wrong interpretations made, and a consultant had been hired to help with a numerical study in order to bring some sanity back into the situation on the beach.

Commissioner Moore did not differ with Mayor Naugle, but he felt the City Attorney should provide some advice about how to proceed in this situation. He did not want the public misinformed. The City Attorney stated that he was hearing much of this for the first time, but it appeared the consultant for some reason was pulling back on what staff previously understood were recommendations to support the study activities for the proposed changes. At this point, it appeared the City had no consultant-backed recommendations, and Mr. Wren evidently wanted to get to the bottom of it and get something in writing. The City Attorney felt the consultant had put the City in the position by this last minute change of heart, and he had not heard anything yet that would create any cause of action. He thought that as long as factual answers were provided, it would be acceptable to make fair inquiry. The City Attorney understood the consultant had also made a verbal offer to refund any payment made by the City. He stated that the only caution he would make was not to stray into any statements that could be considered libelous or slanderous.

Commissioner Smith understood this study was far too aggressive as far as “tweaking” the development rules. For example, in the PRD he believed there was a recommendation to reduce the height from 300’ to 150’. He believed even the Central Beach Alliance did not think 50% of development rights could be eliminated. He thought the report was flawed and did not think it had anything to do with developers “getting to” Kimley-Horn. Commissioner Smith thought it appeared this was just a flawed study that resulted in information of little value, and Kimley-Horn had come to realize it and agreed to refund the City’s money.

Commissioner Smith said he was offended by the notion that the beach had been degraded. He felt it was a much better beach now than it had been 10 years ago. He thought it was possible it could be over developed if the regulations were not addressed. Mayor Naugle thought approval of Jackson Towers had been the impetus for this discussion, and he felt that had been a mistake. He had said repeatedly that the garage should have been included in the FAR calculation, although staff had a different interpretation. Commissioner Smith requested a report in that regard, and Mr. Wren agreed to provide one.

Mayor Naugle asked if Kimley-Horn was currently doing any other work for the City. Mr. Greg Kisela, Assistant City Manager, believed Kimley-Horn was the aviation consultant for the Executive Airport. Commissioner Moore thought Kimley-Horn was also the consultant on the Sistrunk Boulevard project. Mayor Naugle asked who had recommended this firm for this study, and Mr. Wren replied his staff had made the recommendation. Ms. Chrissy Fisher advised that there had been an informal bid selection from a list of firms with the appropriate experience. Letters of interest had been requested, and 2 bids had been submitted. She advised that after reviewing their experience, staff had recommended the selection of Kimley-Horn.

Mr. Kisela thought staff's and Kimley-Horn's expectations differed. He was not defending the firm, but it appeared it had determined it could not meet staff's expectations and provide defensible recommendations as outlined in the scope of services. In an attempt to resolve the issue, the firm had agreed to return the money it had been paid. Mr. Wren wanted something in writing to that effect.

Mayor Naugle wondered how this process could be moved forward from this point. Mr. Wren advised that staff had not finalized a recommendation for the Commission. Commissioner Smith inquired as to what was left to study. Mr. Wren said that staff could use Kimley-Horn's modeling, and staff could try to superimpose some of the models into the various beach neighborhoods to determine what would be appropriate. He advised that determining the appropriate FAR, setbacks, height, etc., would be the next things to address.

Mayor Naugle felt the FAR was the most important issue. He did not believe this study could be used if it was not what had been requested and could be legally challenged. Commissioner Moore thought one problem might have been that this type of study had not been adequately funded for it to be defensible. He understood only \$10,000 had been proposed, and he did not think staff could perform the study in light of existing workloads. The City Manager thought Commissioner Moore was correct. He thought a full-blown, defensible study would probably cost more than \$100,000. The City Manager suggested that staff examine existing requirements and see if there was a positive cost benefit ratio to pursue this or whether or not the Commission could control development based on what could currently be regulated.

Mayor Naugle did not think it would be worth waiting for ULI involvement on this subject. He reminded the Commission that the ULI had indicated in the 1980s that there would never be development on the beach unless A-1-A was relocated. He thought the ULI was a wonderful organization, but it favored maximizing development rather than favoring the citizens of Fort Lauderdale.

Commissioner Katz thought some help was necessary because the process seemed to be going in circles. She felt some person or group should be located who could help with the urban study, and then the Commission could determine if the ULDR was fulfilling the mission. Commissioner Katz said she had invited *Mr. George Gomez*, from the City of Miami Beach, to discuss this subject because that community had gone through the same exercise.

Commissioner Smith did not think this was as difficult as it seemed. He thought the City could enact a law that required inclusion of garages as part of the FAR calculation and, if it was necessary to raise the FAR a small amount, the City Commission should just do so. He felt that if everyone wanted to reduce heights somewhat, the City Commission should just do it. Commissioner Smith noted that this could be studied forever, but that would not help the beach or the landowners. He did not believe anyone was going to ever come up with a study everyone supported, and he pointed out that the City Commission was the policy making body.

Commissioner Smith thought a vote should be taken tonight as to including garages in the FAR calculations. He recalled that a citizen committee had been formed to consider this issue, and he wondered if a meeting had been held. Mr. Wren stated that there had been a community meeting, but he had not heard anything new. He noted that the feedback had been summarized in the Friday memo he had referenced earlier. Mr. Wren explained that some people echoed the position of the Beach Redevelopment Board, and some beach residents echoed some of the positions taken all along throughout the past 2-1/2 years.

Commissioner Smith said he was ready to make a motion to make final changes. He believed the City Attorney had indicated that if the changes were modest in scope, they would be defensible. Mayor Naugle did not want to vote for a "feel good" thing just because it was defensible. He asked the City Attorney if he felt the City was ready to enact something that would be defensible. The City Attorney stated that a hearing had been noticed for this evening on the FAR ordinance amendments, which had been reviewed and been the subject of numerous public discussions. He felt action on that issue would be appropriate this evening. However, he could not tell the Commission that the City would not be subject to a Harris Act claim. The City Attorney noted that the possibility had been discussed in the past, but he could not predict if anyone would file suit. However, in terms of validity and enforceability of an ordinance, action could be taken this evening.

Mayor Naugle asked if zoning in progress could be established tonight and then base it on the study suggested by the City Manager. He wondered if that would put the City in a better legal position. The City Attorney did not think that would be particularly so. He felt the regulation would be valid, and the vulnerability involved potential Harris Act claims. He explained that the Harris Act empowered a landowner to recover money when a well-conceived ordinance was passed, that was perfectly legal and defensible in every respect, if his development rights were impaired past a given point. That point depended upon many things, including the nature of the regulation and the location and size of a property. However, in terms of validity of an ordinance, the Commission could move forward.

Mayor Naugle was ready to go forward on the FAR ordinance amendments tonight, and he wondered if the Commission wanted to include the SLA in zoning in progress. Mr. Wren advised that the SLA had been advertised for a Conference discussion. He stated that it could be zoning in progress tonight, and then it would have to go to the Planning & Zoning Board before an ordinance was presented. Mayor Naugle stated that public input could be taken on the FAR this evening as advertised, and he wondered if there was anyone present who wanted to discuss the SLA district and the change in the height restriction from 150' to 80' or less.

Commissioner Moore wished to state, before public input was taken on the SLA, that he had been a member of the Commission when the ULI report had been presented. However, he had a different recollection than did Mayor Naugle. He agreed there had been discussion about changing people movement on A-1-A to further a resort type of concept, and he thought the ULI input had been very valuable. Commissioner Moore believed the City should take advantage of input from an organization like the ULI. Mayor Naugle recalled that one developer had wanted to build a condominium, another had wanted to build a hotel, and the other member of the law firm to which they belonged had been the Speaker of the House. Suddenly, there had been \$15 million available for relocation of A-1-A.

*Mr. Steve Tilbrook*, Beach Redevelopment Advisory Board member, stated that the Board considered its primary goal to be the support and encourage revitalization of the beach. He advised that a concern had been expressed by the Board regarding some of the land use measures being considered by the Commission having a detrimental affect upon revitalization. Mr. Tilbrook explained that developers had been encouraged to participate in revitalization, and now they could be impacted by those proposed regulations. He advised that the Board had endorsed the concept of a ULI or other organization coming to Fort Lauderdale to provide guidance in order to arrive at a comprehensive set of regulations. Mr. Tilbrook thought a piecemeal approach could have unintended consequences.

*Mr. Jess Moore*, a 30-year resident of Fort Lauderdale and a 15-year resident of Carlton Tower in the SLA district, supported the SLA amendment as to height. He supported redevelopment in a reasonable and rational manner that would benefit all the citizens of Fort Lauderdale.

*Mr. Bob Kauth*, of Bonnet House, desired preservation and compatibility, and he would oppose a 15-story building if it overlooked the lagoon at Bonnet House. He did not want any visual pollution and favored development that was not visible from the Bonnet House.

**Action:** FAR ordinance amendments to be considered at Regular Meeting and motion on SLA to establish zoning in progress. City Manager to present report as to further study on remaining issues.

### **I-C – City of Miami Beach Zoning Regulations**

Commissioner Katz introduced *Mr. George Gomez*, Planning Director of the City of Miami Beach, to discuss zoning regulations in that community. He explained that there had been a 10-year process because the FARs that had been in effect in Miami Beach had been very, very high. For all practical purposes, market conditions had dictated the size of buildings at one time. Upon questioning by Mayor Naugle, Mr. Gomez noted that the FAR calculations had not included garages.

Mr. Gomez stated that in the mid- to late-80s, Miami Beach had wanted to encourage larger units in order to increase the economic base of the community with more luxury residential units. Therefore, one of the first things that had been decided was that instead of having the cap measured by units per acre, the focus would be on the FARs. He advised that an extensive analysis had been performed, and in-house staff had done most of it. Mr. Gomez noted that there were distinctive differences between Miami Beach and Fort Lauderdale in that Miami Beach was a much smaller city, and there was no part of that community that was further than ½ mile from either the Bay or the beach. It was a compact city, and all of the commercial districts were in a tight, urban environment, and there was a great deal of inter-relationships between the commercial and residential areas.

Mr. Gomez noted that there was virtually no industrial use in Miami Beach, and residential uses were permitted in the commercial areas, which operated as neighborhood commercial areas. He described the analysis process and noted that a couple of buildings had been identified that everyone felt had been constructed with the appropriate scale. Using that as a base, the analysis had been performed using different FARs, various lot sizes, etc. Mr. Gomez said the analysis had been done in the late 1980s, and 1 FAR had been developed for low-density, multi-family districts. Another had been developed for medium-intensity districts, and an FAR of 3.0 had been developed for the high intensity, multi-family districts.

Mr. Gomez stated that a committee of developers, businesses, staff and residents had been created, and an FAR of 6.0 had ultimately been adopted in 1989, without inclusion of the garages in the calculation. Almost immediately thereafter, there had been a change in the power structure of the city, and staff had been asked to go back and revisit some of the issues. At that time, the concern had shifted from the FARs to heights and parking. He explained that FAR was an abstract issue for the layperson to visualize, and it had different meanings. For example, an FAR of 1.0 could mean a single story with complete lot coverage or a 10-story building with 10% lot coverage.

Mr. Gomez advised that height had become a primary issue because there had been districts in Miami Beach with no height restrictions. Therefore, height had been the first issue analyzed. He noted that there were no large tracts of vacant land in Miami Beach, so staff had been addressing infill development for the most part. He stated that the next part of the analysis had involved the character of the existing neighborhoods, block by block. Mr. Gomez said that the FARs had been calculated for the existing buildings, and most of the structures built before the 1960s had no parking. He stated that was the reason the parking had not been included in the calculations. Mr. Gomez noted that Miami Beach wanted new structures to have parking, but no one had wanted it to be a penalty in terms of existing structures. That issue was also recognized through other mechanisms. For example, when a use was changed on a lot that could not provide parking, monies were contributed so the city itself could take on the burden of trying to provide parking in different areas.

Commissioner Smith understood Miami Beach had felt some incentive was needed to attract redevelopment. Mr. Gomez agreed that was correct. Very little had been done in the previous 10 years, and the new Commission had felt the analysis had been too conservative. He noted that when staff had recommended an FAR of 3.0, and the Commission had wanted an FAR of 6.0, it had not simply been changed. Rather, performance standards had been established with small, incremental additions to the FAR based on architectural features and the like. For example, if certain landscaping improvements or larger balconies were provided, bonuses were allowed.

Mr. Gomez stated that the first set of reductions had been adopted in about 1994, and maximum height limits had been reduced from no limit to 400' or about 40 stories. At that time, the FAR had been reduced from 6.0 to 4.5 with the bonuses. Mr. Gomez stated that this had resulted in development that was out of scale in the early 1990s, which had galvanized the citizens. Therefore, the City Commission had formed another committee to review the development regulations, and staff had started to examine realistic floor plates as to the types of buildings that would result with the existing FARs. They had found that FARs of 1, 2 and 3 would result in compatible infill development, and heights had been limited to 200' or about 20 stories.

Mr. Gomez advised that his staff had then started to examine uses in the various districts and began to develop appropriate buffers between commercial and residential uses and providing transition zones. Mayor Naugle asked when the latest FAR had been adopted. Mr. Gomez replied that had been done in November, 1998 in some areas and then completed in July, 1999.

Commissioner Smith asked if Miami Beach had found that the FAR limited building height from a practical standpoint. Mr. Gomez believed it had been the height limitation that addressed that issue. He had thought the FAR would be a controlling factor, but that had not been the case in Miami Beach, although Fort Lauderdale had different conditions. In Miami Beach, height and parking had been the major issues. In fact, 1-1/2 parking spaces per unit were required even for a studio.

Commissioner Smith asked Mr. Gomez if he thought including garages in the FAR calculations would have controlled height from a practical standpoint. Mr. Gomez did not believe so because parking garages were included in calculations relating to height. Commissioner Smith inquired about Harris Act claims. Mr. Gomez believed that 35 claims had been filed, but they were all part of a larger single case, and Miami Beach had settled about 4 cases. Mayor Naugle asked if additional development rights had been granted in those cases. Mr. Gomez believed that there had been other issues, such as counting elevator shaft space, etc., that had been addressed through the appeal process.

Commissioner Smith noted that Fort Lauderdale had a provision that allowed a developer to operate under the former zoning before any Harris Act claim was filed. Mr. Gomez did not believe there had yet been a Harris Act claim that had gone through the entire process. The City Attorney agreed that was correct. Mr. Gomez felt Miami Beach was well protected, and no one knew what the outcome would be of any claims, but the Harris Act did not frighten him. He was more concerned with developing appropriate development regulations that addressed the needs of the community.

Mayor Naugle understood in-house staff had performed the studies on which regulations had been based in Miami Beach. He asked if he could obtain a copy of the study. Mr. Gomez advised it had involved a series of maps and working drawings that had been done on a block-by-block basis. Mr. Gomez noted that some concessions as to height had to be made in order to address parking concerns, but they had not been major. Further, there were regulations to address existing buildings in terms of additions.

Commissioner Moore inquired about setbacks. Mr. Gomez stated that they varied by district, but there were generally 20' front setbacks in multi-family districts. The side setbacks had to be at least 8% of the lot width for the pedestal portion, with greater setbacks as the building became taller. He advised that many of the existing buildings had no setbacks, so now there were at least 16% of the lot size in side setbacks.

Mayor Naugle asked if Miami Beach had any experience with mechanical or "robotic" parking systems. Mr. Gomez replied that one such project had been proposed, but the Code did not address it. He stated that staff was looking into this issue and was encouraging stand-alone parking garages to address the parking concerns. Commissioner Smith inquired as to the size of his staff, and Mr. Gomez replied there were about 22 employees serving a population of 95,000.

Commissioner Katz inquired about the Design Review Board in Miami Beach. Mr. Gomez stated that this was an architectural review board that basically examined the aesthetics of projects. He noted that there was a series of criteria that were considered, including compatibility issues. Mr. Gomez stated that the board had certain categories of members to ensure there was an architect, a landscape architect, etc., and the Commission appointed them. Commissioner Smith asked if it was advisory in nature, and Mr. Gomez replied it was not, and its decisions were binding. However, there were appeal mechanisms as well. Commissioner Smith asked where it fit into the process, and Mr. Gomez stated that the design review board reviewed plans at the beginning of the process.

Commissioner Smith understood a project had to be approved by the design review board before it could proceed to the Planning & Zoning Board. Mr. Gomez agreed that was correct. He also noted that Miami Beach had a strong ethics ordinance in order to deal with any potential conflicts of interest.

Mayor Naugle asked the City Clerk to obtain a copy of the Miami Beach ordinance that had created their design review board, as well as a copy of the construction management guidelines. He was also interested in the ethics ordinance.

Commissioner Katz asked Mr. Gomez what he would suggest in terms of addressing height, density and volume. Mr. Gomez said that the first thing to do would be to identify the perceived problem in order to determine if the problem was really height or if it was really the mass. He suggested study of building envelopes first.

**Action:** As discussed.

At 3:23 P.M., Commissioner Hutchinson left the meeting. She returned at 3:24 P.M.

#### **I-B – Sunrise Boulevard Improvements (I-95 to Searstown)**

A presentation was scheduled on the proposed landscaping and other improvements on Sunrise Boulevard, from I-95 to Searstown, and funding issues, as requested by Commissioner Smith.

At 3:24 P.M., Commissioner Katz left the meeting. She returned at 3:25 P.M.

Mr. Peter Partington, City Traffic Engineer, recalled that the Commission had heard a presentation on this project toward the end of last year, and the concepts had since been refined. He stated that the total cost of the project would be in excess of \$7 million, and the funding that was immediately available amounted to \$500,000 in Enhancement Funds allocated to the project by the Florida Department of Transportation (FDOT) in Fiscal Year 2002/03. Another \$175,000 was available from the Broward Cultural Affairs, along with \$35,000 from Broward County Transit. However, that \$35,000 would only be available to address the proposed bus shelters.

Mr. Partington stated that staff was seeking the Commission's priorities as to how the first \$500,000 of the Enhancement Fund would be spent, and to look again at the bus shelter design because he expected the County would go ahead and implement with the Cultural Affairs money.

Mayor Naugle inquired about the funding shortfall. Mr. Partington stated that the shortfall for the entire project was well in excess of \$6 million, with only about \$700,000 available initially. Mayor Naugle was concerned about spending money for one portion of the project, only to have that torn up when other parts of the project were commenced. Mr. Partington assured him that would not be the case. For example, the bus shelters would be isolated elements that would not be disturbed when the rest of the project went forward. He noted that landscaping in the median would also be a stand-alone element.

Commissioner Smith thought it was important to note that the FDOT was doing a safety project on Sunrise Boulevard, and that was a good opportunity to put landscaping in the median. Mr. Partington agreed that was correct, but the safety project had already been let for bid, and it involved physical changes in the medians to alter certain turning movements, so he did not think the FDOT would want to add landscaping elements to the project because it would require a change order. He thought that might be the sensible thing to do, but he was not sure the FDOT would be willing to do it. Commissioner Moore believed change orders had been necessary on the FDOT's Federal Highway project. Mr. Partington stated that project had been far more elaborate than this safety project would be. He did not recall if change orders had been necessary or if the enhancements had been proposed from the start.

*Mr. Paul Kissinger*, Ed Stone & Associates, Inc., recalled that there had been change orders involved in the Federal Highway project. However, the FDOT had already indicated that a separate project for this enhancement would be necessary to alter the safety project. Commissioner Smith asked if the two projects could be handled concurrently, and Mr. Kissinger felt that was certainly a possibility. Commissioner Moore felt the City needed to bring the FDOT to the table. Commissioner Smith recalled that the Commission had decided to give Sunrise Boulevard the same treatment as Broward Boulevard, so he hoped the City would add some enhancement dollars in this location as well. Mayor Naugle thought staff could develop a special assessment roll. Commissioner Moore preferred to delay considering this issue until FDOT representatives could be present.

Commissioner Smith agreed that the bus shelters made sense along the entire length of the corridor. Ms. Nancy Harrington, Broward County Engineering Department, stated that the funding for the bus shelters would be provided from Cultural Affairs in the amount of \$170,000. The Transit Authority had also agreed to contribute \$35,000 for shelters. It was her understanding that there was an additional \$500,000 available from the State from its Enhancement Fund. Mr. Partington believed the State was also funding the design at a cost of \$450,000.

Commissioner Moore asked if there were timelines involved in terms of spending the money for the bus shelters. Ms. Harrington said she could not speak for Cultural Affairs, but the \$500,000 from the State was programmed in the FDOT's 2002/03 budget. Mr. Partington believed that if the FDOT agreed to add landscaping to its project, the County would probably "front" the money for the change order.

Ms. Katrina St. John, Broward County Cultural Affairs, explained that \$170,000 had been targeted for bus shelters. That would construct 4 shelters and 4 City-owned areas were the focus. She stated that if there was money available, some economy of scale could be achieved so that all the shelters, 18 benches and some landscaping could be done for \$500,000.

Commissioner Smith wondered how much would be necessary to fund all the median landscaping. Mr. Kissinger stated that estimates were about \$700,000, but there were some caveats about including street trees on some adjacent vacant property that was not in the right-of-way. He added that these things would not have to be included in the project, but could be addressed during the development of these vacant lands. Therefore, that \$700,000 would be reduced somewhat. Ms. St. John stated that the areas where landscaping could be installed was really rather minimal when one considered the median configurations.

Mr. Kissinger noted that there were no strings attached to the \$500,000 from Cultural Affairs, but there were certain strings attached to the \$170,000 for shelters and landscaping. Commissioner Katz inquired about using the \$170,000 plus the \$35,000 from Mass Transit for the shelters and signs, so the rest of the money could be used for landscaping.

Commissioner Smith said he was looking for a further commitment because this had happened during the Broward Boulevard project. At the time of that discussion, he had made a motion to fund the landscaping and all the bus benches when this project came along. He felt there should be at least another \$400,000 committed to the project, whether it be through special assessment or other means. Commissioner Hutchinson noted that the same consideration would be necessary for State Road 84.

The City Manager said he could contact the County Manager to see if the County would "front" the \$400,000 for Sunrise Boulevard payable over 10 years. Mayor Naugle did not understand why Sunrise Boulevard would be treated differently than Broward Boulevard. He asked when the special assessment for Broward Boulevard would be on the agenda. Mr. Greg Kisela, Assistant City Manager, believed that was planned for October.

Mr. Partington noted that it would be necessary to be cautious in terms of timing. It was his understanding that the State already let the safety project contract, and the proposal was to start the project this summer. Mayor Naugle wanted staff to communicate that the Commission desired an arrangement similar to that used east of Searstown. Commissioner Moore wanted this placed on an agenda as quickly as possible at a time when the FDOT could be represented. Mr. Partington did not want to speak for the FDOT, but its representatives had indicated that Federal Highway had been an exception, while the Sunrise Boulevard project was a safety project. He believed the FDOT had been consistent in its opinions in this regard, but representatives could be invited to discuss it as soon as possible.

Mayor Naugle suggested that the City seek letters of support from its State Representatives and Senators covering this area. Commissioner Moore felt that would be a good idea, and he hoped Mr. Chesser would come to the next Commission meeting. Mayor Naugle summarized that staff would proceed with a special assessment program to fund the shortfall, and add the trees to the landscaping. He asked the Commission if they were happy with the proposed tree locations on City property. Commissioner Smith noted that a citizens committee had reviewed the issue. There were no objections to that aspect of the plan.

Commissioner Moore liked the bus bench design that had been proposed. He preferred to see more shelters than benches in the interests of encouraging ridership. Mayor Naugle understood the benches had recline prevention bars. The City Manager wondered if the Commission was willing to consider some form of tasteful advertising in the shelters in order to generate some revenue. The Commission did not care for any advertising at all. Commissioner Moore did not believe there was any tasteful advertising.

Mr. Kissinger noted that the County would also like to see more shelters than benches, so he suggested the City try to get that word out to the business community for some public/private partnership because they involved more space, and some help was needed. Ms. St. John added that easements were also necessary.

Commissioner Katz inquired about the cost of a single shelter. She envisioned asking businesses if they wanted to contribute a shelter. Ms. St. John replied that the cost of each depended upon how many could be done at once to achieve economies of scale. Mayor Naugle thought 3" letters could be used to acknowledge donors with plaques indicating "this bench sponsored by ..." or "donated by ...". The City Manager thought that sounded like advertising, and Commissioner Smith characterized it as a legal "splitting of hairs."

**Action:** As discussed.

### **II-A – Closing of Cleveland Clinic – Barrier Island**

A report was presented on the status of the closing of the Cleveland Clinic on the Barrier Island (beach area). Mayor Naugle understood the meeting scheduled for this weekend in this regard had been cancelled because of sessions in Tallahassee. He understood it would be rescheduled.

Fire Chief Otis Latin stated that the meeting would be rescheduled at the end of the Legislative session. Today, staff was seeking the Commission conceptual approval of the Fire Rescue Department's staffing and equipment plan for an interim period until a unit could be provided in the new budget year to deal with the emergency load anticipated when the Clinic was closed.

Commissioner Katz said she would be informing the community about what EMS would be doing and to educate the public about using EMS rather than just trying to transport a patient themselves. She was happy to announce that all the hospitals in Fort Lauderdale had agreed to participate in funding an ambulance and equipment at cost of \$200,000. Commissioner Katz thought providing a third ambulance in the beach area would allay some concerns. Mayor Naugle appreciated the work Commissioner Katz had done to get the equipment donated, but operating expenses had to be funded as well. Nevertheless, he was pleased about the funding for "up front" costs. Commissioner Katz felt it demonstrated that the medical community was committed to help alleviate the problem.

Commissioner Smith thanked Commissioner Katz for taking the lead in this issue. He also appreciated the effort to plan for contingencies as well. Nevertheless, he did not want to give up the fight because he felt there was a real need for an emergency room and hospital on the barrier island. Commissioner Smith believed there were ways to do this and thought more pressure should be brought to bear by some other regulatory agencies and governmental entities.

Commissioner Smith understood certain traffic light devices would have to be purchased to change red lights to green lights, and they could be costly. Chief Latin stated that there was a County project to fund the preemption devices for the traffic signals, but the cities would have to pay for the apparatus. He advised that those were \$2,100 each, and the ambulances and fire trucks would need those devices.

Commissioner Smith believed there was also an issue involving agreements with bridge tenders to put the bridges down. State officials had informed Assistant Chief Jeff Justinak that there would be full cooperation in terms of the bridge tenders. In addition, there was a communications system that would allow direct contact with the bridge tenders rather than emergency vehicles having to go through the dispatch center.

Mayor Naugle wondered if the State regulatory agencies would allow an expansion of the beds in order to make it economically attractive for a provider to open a hospital on the beach. He stated that there was a great customer base, and he thought there should be some way of transferring beds from one community to another when it would leave a community under served. Mayor Naugle suggested that the City's lobbyist be asked to work in this direction. Commissioner Katz believed there had been discussion about eliminating the certificate for beds. Commissioner Smith thought that if there was legislation pending in this regard, it should be moved up on the lobbyist's list of priorities.

*Mr. Gary Sieger*, North Beach Island Alliance, was glad to hear that the City was moving to address the immediate problem with an emergency vehicle. However, he believed there was a need for a hospital on the barrier island, and he thought there were things that City staff could do. For example, a steering committee could be formed among the City, the County, and State Representatives and representatives from the regulatory agencies in order to address the difficult issues such as leaving the building alone until all the possibilities could be investigated. Mr. Sieger thought City staff could facilitate such an effort in a short period of time, such as within 30 days.

*Mr. Mark Harrington*, North Beach Island Alliance, thought another ambulance was a good idea, but he viewed it as a "band aid" approach. He felt that any loss of life due to the extra time necessary to transport a patient to a hospital on the other side of the waterway was unacceptable. Mr. Harrington stated that he had been told the meeting this weekend had been canceled because those invited had not responded. However, he had contacted some of those people this morning, and they said they had never been invited. He felt a meeting was critical, but time was of the essence because the Cleveland Clinic was scheduled to close on July 1, and he expected demolition of the building would be started the very next day. Mr. Harrington wanted everything possible done to keep a medical facility open.

Commissioner Katz noted that it was necessary to be realistic, and the Cleveland Clinic was private property. She thought it would probably be put up for sale, and the City had no control over the owner's decision to sell. Commissioner Katz advised that the medical community had also assured everyone that today's medicine would allow patients to get to the nearest hospital and survive. The medical community did not believe eliminating a hospital from the barrier island would medically affect anyone.

Mayor Naugle felt that even if that were the case, the area needed a hospital so people could visit their sick loved ones, etc. He understood that the idea was to get patients to the best facility for their condition as opposed to the nearest facility and, many times, patients taken to Cleveland Clinic only to have them transferred to another hospital. Mayor Naugle felt this community should have the same amenities as other communities, including churches, shopping, hospitals, etc., but it was not necessarily needed from a medical standpoint in light of ALS abilities.

Commissioner Moore agreed with Commissioner Katz in terms of what the City could do with respect to this issue. He felt both Commissioners Katz and Smith had gone above and beyond the call of duty, but the City's resources were limited to assisting as much as possible in dealing with the State and other agencies to create opportunities for development of a medical facility. Commissioner Moore did not think an \$800,000 budget impact should be taken lightly, but it might help bring a provider to the table.

Commissioner Smith agreed that once an ambulance had collected a patient, they were in good hands. However, he was concerned about those people who had been trained for the last 20 years to head to the hospital down the street in their own cars when someone had chest pains. Instead, they would get stuck on the bridge, and they would not have the \$2,100 devices to change the lights, etc. He felt that was the reason a medical facility was critical on the beach, which was geographically different from the rest of the City.

Commissioner Smith pointed out that Commissioner Moore had helped push the North Broward Hospital District into doing the right thing by providing an urgent care facility in the northwest area. He felt the District should also do the right thing here by using some of the \$5 million beach area residents contributed to hospital taxes for a facility on the barrier island.

Commissioner Moore noted that an urgent care facility was considerably different from a hospital. Commissioner Smith acknowledged that was true. Nevertheless, he felt the City should do everything possible to convince that people who could do something about it that a facility was necessary in the beach area. He understood that the State Legislature had appropriated monies in the past for rural areas around Florida to provide hospitals because it had not made economic sense for providers in those areas. Commissioner Smith felt the representatives of this area had a duty to try and obtain the same consideration for their constituencies. He felt the City should help facilitate a meeting, with formal invitations from the Mayor's office, so there was no question they had been asked to participate.

Commissioner Moore suggested advocating an urgent care facility, but if the numbers did not work for a hospital, there was nothing the City could do. Apparently, the private sector had decided it was no longer advantageous to continue to offer these services in this location, but a facility that could deal with urgent issues might be another question altogether. Commissioner Smith thought that would be fine as long as a heart attack victim could be treated at such a facility.

Mr. Harrington said he had made inquiries at the urgent care facility. He had learned that they would treat a sprain or other injury, but they called 911 if a heart attack victim arrived at the facility. He stated that the main criteria involved a facility to which EMS would transport. Mr. Harrington advised that he also had some study materials that took the contrary position that people should go to the nearest facility rather than the best facility for a particular condition. He believed lives would be lost if there was not a facility in the beach area.

Mayor Naugle noted that even if someone wanted to, no one could open a hospital in the subject location because of the State's certificate of need process. Mr. Harrington recalled a meeting at which a State official had indicated that the bridges had never been taken into consideration, and a mistake had been made during consideration of the certificate of need. Mayor Naugle felt everyone should work towards changing that, and Mr. Harrington agreed.

*Ms. Suzanne LaRue* believed Mr. Harrington was suggesting that the certificate of need could be changed without any legislative change. However, the hospitals did not want to facilitate that goal. She pointed out that there were several fire stations on the barrier island, and there were strategic reasons for it that also applied to medical emergencies. Ms. LaRue said she lived very near the Oakland Park Boulevard bridge, and she had seen it out of service for hours on end.

Mayor Naugle thought everyone agreed there should be a hospital on the beach. He thought that if the State took the position that someone could locate a hospital there, interest could be sought from private hospitals and advising them that beds were available. Commissioner Smith felt the City should issue official invitations to the next meeting in order to assist and facilitate as a first step. Commissioner Moore believed everyone had already expressed support of that idea.

*Mr. Robert Koenig* understood the North Broward Hospital District was planning to spend \$7 million to purchase land just a little bit east of Imperial Point Hospital. He had suggested to that agency to wait just a little longer and consider taking over the Cleveland Clinic when it was vacated. Commissioner Smith suggested that the City Commission make this an official request. Mayor Naugle asked that a resolution to that effect be presented this evening.

Commissioner Moore suggested that the City ask to be placed on the agenda of an upcoming Hospital District meeting. Commissioner Smith supported that idea and proposed that he and Commissioner Katz attend a meeting and present the resolution. The City Manager said that he would be happy to help beach area residents schedule a meeting with the State and the County in this regard, but he saw no point in holding the meeting until the Legislative Session had been concluded. He also doubted that anything could be done to prevent the scheduled closing of Cleveland Clinic in July. Mr. Harrington knew that was true, but he hoped something could be done to prevent the immediate demolition of the building. Mayor Naugle asked the City Manager to find out what plans there were for the building itself. If it was going to be put on the market, and if the beds could be made available through the State, perhaps someone would be interested in opening a hospital.

Commissioner Moore did not understand how the Hospital District had obtained the beds since it was apparently planning to build a new hospital. Commissioner Katz was not sure that the plan was to build a hospital. She thought it could just be an expansion of Imperial Point for certain uses, like a work out room. Mr. Sieger explained that obtaining answers to all the questions was the reason for scheduling a meeting.

**Action:** Resolution to be presented this evening as discussed. City Manager to facilitate meeting as discussed.

## **II-B – Purchasing Contract Renewals/Extensions (July-September, 2001)**

A report was presented on the proposed purchasing contracts due for renewal/extension for the calendar quarter of July through September, 2001. Commissioner Moore asked how long the Ampros Trophy Kings had been providing services to the City. Mr. Kirk Buffington, Purchasing Manager, replied that this was the first renewal of the new contract put in place in July, 2000. He did believe the company had the previous contract as well. Commissioner Moore wanted to know how long the company had the contract before the extension was granted.

Commissioner Moore inquired about Florida Superior Sand. Mr. Buffington advised that was a provider of aggregates used in landscape beds. He agreed to look into it further. Commissioner Moore asked how long Stan Hemphill had been providing grant management services. Mr. Buffington believed the contract had been initiated when the bonds had originally been approved about 4 years ago. Mayor Naugle asked how much in grants Mr. Hemphill had been able to bring to the City. Mr. Buffington estimated the amount at \$300,000. Commissioner Smith understood the City also had 3 grant writers on staff. The City Manager agreed that was correct. Commissioner Moore understood Mr. Hemphill handled only parks and recreation grants, and Mr. Buffington agreed that was correct.

Commissioner Moore inquired about real estate closing and title services. He was under the impression that there had been some problems with these services and asked if this was the company involved in those issues. He was advised that this was not the same company.

Commissioner Moore referred to school crossing guards. He asked if the proposed vendor offered any kind of benefits to the guards. Mr. Bruce Larkin, Director of Administrative Services, believed the crossing guards were paid \$5.25 per hour, but they only worked 4 hours per day so no benefits were provided. He added that this company had done a very good job.

Commissioner Moore said he had heard concerns about the lack of benefits. He wondered how other municipal governments handled these services. Mr. Larkin stated that a survey had been conducted of other communities, and this rate was the lowest in the County. Ms. Ronna Adams, Administrative Services, stated that several cities employed crossing guards. Commissioner Moore wanted to know if there were other contractors that provided benefits and at what cost.

Mr. Buffington had the information Commissioner Moore had requested about the trophy vendor. He advised that from 1995 to 2000, the trophy contract was with Trophies by Edco. When the contract had been rebid in July, 2000, Ampros Trophy Kings had been the successful bidder.

**Action:**           Approved.

#### **II-C – Parks General Obligation Bond (GOB) Quarterly Report – First Quarter 2001 (January – March)**

A report was presented on the status of the Parks GOB projects for the first quarter of 2001 (January through March). Commissioner Katz inquired about Palm Aire Village Park. Mr. Pete Sheridan, Assistant City Engineer, stated that the project was in the permitting process. Commissioner Katz asked when it would go out for bid. Mr. Sheridan said it would take 4 to 6 weeks for permit review, and then it would be let for bid. Commissioner Katz noted that it had been over a year already. Mr. Sheridan stated that staff had been trying to get a plan from the consultant as quickly as possible. Mayor Naugle asked who the consultant was, and Mr. Sheridan replied that the services were being donated through the Calvary Chapel. Mayor Naugle requested a timetable for the completion of Palm Aire Village Park.

Commissioner Hutchinson inquired about the status of Riverland Park. Mr. Sheridan advised that staff was not moving very quickly on that project right now because they were currently focusing on Croissant Park, Lauderdale Manors, and Warfield Park to get them open for the summer, and funding was being sought through the Swim Central Program. Commissioner Hutchinson stated that the community was not satisfied with the progress at Riverland Park. Mayor Naugle asked if the building would still be constructed if a swimming pool was provided. Mr. Sheridan replied that the building was necessary for the pool. Mayor Naugle understood everything was at a standstill until the Swim Central grant was obtained. Mr. Sheridan agreed that was correct. Mayor Naugle asked if work on the park portion of the project could go forward, perhaps by phasing the work.

Mr. Greg Kisela, Assistant City Manager, explained that a decision had been made, right or wrong, to focus resources on 3 parks necessary for some planned summer programming. As soon as those projects were completed, the resources could then be devoted to Riverland Park. Mr. Kisela understood that was not what Commissioner Hutchinson wanted to hear. Mayor Naugle asked when the decision would be made on the Swim Central Grant. Mr. Sheridan thought the County Commission would be approving the grants some time in June.

Commissioner Moore believed there was a problem getting consensus in the neighborhood as to the plans for Riverland Park. He preferred to wait until the Swim Central Grant was forthcoming with the hope that consensus could be reached on a swimming pool. Commissioner Hutchinson stated that there was consensus on the park portion of the project.

**Action:** As discussed.

### **III-B – Advisory Board Vacancies**

#### **1. Budget Advisory Board**

**Action:** Deferred.

#### **2. Cemeteries Board of Trustees**

Commissioner Moore wished to appoint Mr. Henry Scurry to the Cemeteries Board of Trustees.

**Action:** Formal action to be taken at Regular Meeting.

#### **3. Community Appearance Board**

Commissioner Hutchinson wanted to appoint Mr. Robert Sanders and Ms. Barbara Ericksen to the Community Appearance Board.

**Action:** See Regular Minutes, this date.

#### **4. Community Services Board**

**Action:** Deferred.

5. Education Advisory Board

Commissioner Smith wished to appoint Mr. Kevin Morris to the Education Advisory Board. Commissioner Hutchinson reported that she had written to the principals of Stranahan High School and St. Thomas Aquinas High School asking their thoughts about placing the Presidents of the Senior Class Student Councils on the Education Advisory Board.

**Action:** Formal action to be taken at Regular Meeting.

6. Marine Advisory Board

**Action:** Deferred.

7. Unsafe Structures & Housing Appeals Board

**Action:** Deferred.

8. Nuisance Abatement Board

Commissioner Katz wished to appoint Mr. Doug Reynolds to this Board as an alternate member.

**Action:** Formal action to be taken at Regular Meeting.

**IV – City Commission Reports**

1. State Road 7 Corridor Planning Initiative

Commissioner Moore had been happy to receive information about the State Road 7 (441) Corridor Planning Initiative. He hoped someone would be designated to follow through on this, and he planned to monitor the situation. Mayor Naugle suggested that all of the meetings in this regard be posted with an indication that more than one Commissioner might attend so any one of them could attend.

**Action:** As discussed.

2. Flamingo Park

Commissioner Hutchinson understood there was some Florida Department of Transportation (FDOT) property along the access road on the south side of Davie Boulevard, west of I-95, between 23<sup>rd</sup> and 25<sup>th</sup> Avenues. Apparently, the property had been posted for sale, and she desired information in that regard. Mayor Naugle wanted to expand that request because a similar issue had recently arisen with respect to a parcel on State Road 7. Commissioner Smith agreed the City should examine a list of all the surplus FDOT property in Fort Lauderdale.

**Action:** Staff to obtain information.

### 3. Elevator Key

Commissioner Hutchinson had obtained a copy of a Miami Beach ordinance with respect to elevator keys. She understood that City required a box outside the building to which the Fire Department and the Elevator Inspector had keys to, and it contained the elevator keys. Commissioner Hutchinson stated that this was required at the time a Certificate of Occupancy was issued. She was concerned about the older buildings in the City and gave copies of the ordinance to the City Manager and the Fire Chief.

**Action:** As discussed.

### 4. Expansion of Roadway – South Side of Airport

Commissioner Hutchinson was concerned about the expansion of the roadway on the south side of the Airport. She recalled that mitigation had been done in partnership with the County, the City and the Edgewood neighborhood, and it had been done contingent on expansion of the south runway. Commissioner Hutchinson stated that the community was not opposed to expansion of the Airport but, if Dania raised issues relating to the expansion on the south side, it would have tremendous impact on the Edgewood neighborhood. It was her understanding that the FAA would rather do the expansion on the north side, and she wanted to express her concerns in that regard to the FAA.

Mayor Naugle thought the Executive Airport Manager, Bill Crouch, could help. Commissioner Hutchinson understood there would be a whole new scenario if the south runway was not expanded. She added that she had participated in the ribbon cutting ceremony on the new passive park in the Edgewood neighborhood. It had been funded by the County on the site of a condemned trailer park, in partnership with the community.

**Action:** Concerns to be expressed to FAA.

### 5. Victoria Park

Commissioner Smith noted that 2 new houses had been constructed in Victoria Park, and he thought the City's policy should be changed to require sidewalks. Mayor Naugle pointed out that some people did not want sidewalks. He suggested that the Planning & Zoning Board be asked to consider the issue. The City Manager thought the problem would be that "one size did not fit all." He felt staff should review the issue first and then recommend whether or not the Board should consider it. Commissioner Smith felt a pedestrian friendly City needed sidewalks, and he wondered if the Council of Civic Association would discuss it. Mayor Naugle thought some neighborhoods might want sidewalks and some might not, so perhaps there could be a policy of choice. The City Manager noted that the subject would likely be discussed during the Community Area Planning (CAP) process as well.

**Action:** As discussed.

6. Beach Place Lighting

Commissioner Smith inquired about the status of the lighting at Beach Place. Mayor Naugle wondered how much a luminary study would cost. Mr. Pete Witschen, Assistant City Manager, stated that an engineering company had gone to the sight last week, and he understood the result was that the indirect lighting was within acceptable levels. He advised that a report could be presented to the Commission.

At 5:00 P.M., Commissioner Hutchinson left the meeting.

Commissioner Smith believed the owners of Beach Place were ready to spend the necessary money, but they needed to know how to fix the problem. Mr. Witschen stated that was the reason an independent engineer had been called in. Mayor Naugle inquired as to the cost, and Mr. Witschen did not think it had been a lot. Commissioner Smith wanted this to be considered a priority. The City Manager said he would provide a report on May 1, 2001.

**Action:** Report to be presented on May 1, 2001.

7. Concurrency Exemption - Transportation

Commissioner Smith had received an interesting memorandum about a concurrency exemption related to transportation. He thought new buildings at the beach should contribute money toward mass transit and trolley systems. Commissioner Smith said there was a lot of interest in providing transit alternatives, and there were a lot of new plans to bring mass transit along I-595, connect to the Airport and route to the downtown area. He thought Fort Lauderdale could serve as a test City in Broward County for effective mass transit and added Commissioner Jacobs felt one City should be selected and thought Fort Lauderdale was the right one.

Mayor Naugle felt that since Fort Lauderdale was the most urban City in the County, it would make sense for it to serve as a test City. However, he did not think it could be captured through concurrency on new development alone. He felt consideration should be given to a special assessment in the downtown area, or in the beach area, or industrial areas. Mayor Naugle thought something similar to the DDA could be created.

Commissioner Smith wondered if the Commission could take an official position on the subject of Fort Lauderdale serving as the test City. Mayor Naugle thought staff could meet with the MPO in this regard. Commissioner Smith suggested a resolution, and the City Manager thought a letter would be better. He also noted that the subject could be considered at the joint meeting with the County on May 15, 2001. It was agreed.

**Action:** Subject to be included on agenda for May 15, 2001 joint meeting with County.

8. Land Preservation and Acquisition Board

Commissioner Smith stated that there had been 2 meetings of the Land Advisory Board, and a third meeting was scheduled for Thursday at City Hall. He advised that the Board was considering a motion to send all the identified conservation land to the County Commission. Commissioner Smith believed there was enough money in the Bond Issue to pay for everything on that inventory, but there was dissension on the Board about whether the land should be considered parcel-by-parcel. He requested Commission direction on a parcel that ran along the North Fork of the New River west of the Sweeting Estates.

Commissioner Moore said there had been a number of discussions about this property if it was the parcel on the south side of Sistrunk Boulevard, east of Delevoe Park. He did not feel it should be on the list. Rather, he was interested in the property on the north side of Sistrunk Boulevard, west of the North Fork of the New River, which had been Dr. Sistrunk's home site. Commissioner Moore understood it was on the market, and it was currently being used to store boats and tractor trailers. Commissioner Smith explained that the Land Advisory Board could only deal with conservation lands. Commissioner Moore believed it had wetlands and mangroves, etc.

Commissioner Smith stated that the land on the south side was part of the wholesale motion to be included in the inventory to the County Commission. He advised that the City owned 2 lots, 4 lots were privately owned, and 4 were owned by the Housing Authority. Commissioner Smith said he could offer an amendment to the motion to exclude it from the inventory. He explained that County approval would be necessary to do anything with these conservation properties. It was necessary to determine which parts of the property were conservation lands and which really were not. Ms. Kim Jackson, CRA Manager, advised there were some mangroves, but there was also some development land.

Commissioner Moore said he needed to attend the meeting on Thursday because there was a great desire to conserve these types of properties and reclaim properties along the water that had obnoxious uses, such as the property on the north side. On the south side property, he noted that the DNRP could prevent development without acquiring the property. Therefore, he did not think it made sense to use the money. Commissioner Smith noted that it would make no sense to purchase the Housing Authority property with conservation monies, and a determination had to be made. Commissioner Moore recalled that the City had given the Housing Authority the money for the property.

Mayor Naugle inquired about the parcel of land that was contiguous to the Salvation Army's new thrift store abutting the New River. He wondered if that was on the list as it had leather fern, pond apple, etc. Commissioner Smith advised it was not in the first grouping of properties that were the most sensitive, but he would check to see if it was on the second list. Commissioner Moore believed that site had been recommended by this Commission. Commissioner Smith said that the Board wanted to pass this wholesale motion because once that was out of the way, there would be \$40 million left for other projects. The idea was to get the perfunctory items out of the way so efforts could be redirected to the other funding.

Commissioner Smith explained that there were about 80 conservation sites on the first list, and there was about \$100 million for those. Of those, there were 3 or 4 Fort Lauderdale properties on the list, including the Dennison property. If the Board did not pass a wholesale motion, it would start off with 15 properties, and that list also included the Dennison property. Mr. Greg Kisela, Assistant City Manager, believed some property around the Executive Airport was in the first ESL grouping, and he thought a property around Mills Pond Park was in the next grouping. It was his understanding that the County had requested a priority list by district, and a list of properties would be presented to the City Commission on May 1, 2001 to establish priorities.

Commissioner Smith noted that the Land Advisory Board might forward the entire list to the County Commission on Thursday. Mr. Kisela explained that he was not talking about the conservation lands, but the open space. Mayor Naugle suggested that the May 1, 2001 report include information on the RBF Plat.

Commissioner Moore understood that the bond issue funds would only be used to purchase properties with willing sellers. He wondered if the owners of the 80 properties on the conservation land inventory had been contacted. Commissioner Smith replied they had not. He believed that while some of the lands on the list could never be touched, some half of those parcels could probably be developed. Mr. Kisela advised that the County had been made aware of the CRA direction and concerns. Commissioner Moore believed the mangroves that should be preserved were in the waterway rather than on the land, and Delevoe Park was already an open green space. He planned to attend the Board's meeting on Thursday because he was concerned about other properties with obnoxious uses.

**Action:** As discussed.

9. Joint Meeting with County

Commissioner Katz asked the City Manager if he would provide a list of subjects to be considered at the joint meeting with the County or if the Commissioners would suggest subjects. The City Manager replied that he would present a suggested list of topics, and he would solicit input from the Commission. The list would then be presented to the County Commission to determine interest. Mayor Naugle asked that the list be presented to the City Commission first.

**Action:** Commission to review agenda before May 1, 2001 meeting with County.

10. Legislative Report

Commissioner Katz referred to the Legislative Report provided by Mr. Bentley. On it there was a drafted agreement with the County detailing its expectations regarding the City's financial obligations for infrastructure improvements at Melrose Park. The County wanted \$2.4 million toward those improvements, and she thought this subject should be discussed at the joint meeting with the County on May 1, 2001 because the County should be paying for this project. Commissioner Katz felt all infrastructure items should be funded by the County.

Mr. Pete Witschen, Assistant City Manager, said he had met with a County representative to that effect just before this meeting, and another meeting would be held tomorrow. He expected a revised agreement could be presented for action on May 1, 2001. Mayor Naugle thought the financial commitment the County was referring to involved revenues from the water and sewer project. He explained that if \$800,000 was expected in water and sewer revenues each year from Melrose Park, and the County completed the build-out, they wanted all those revenues to go to the County until the project was completed. Afterwards, the City would get the revenue.

Mr. Witschen agreed the funding was proposed from franchise and utilities fees, and the idea was to use the model utilized for Cresthaven in Pompano Beach. Mayor Naugle noted that an entirely different model had been used in Pembroke Pines. He thought it was unrealistic to ask for all the revenue because only a portion went into a capital account, and the rest was used for operation. Therefore, the County should be considering only the capital portion rather than all of it.

Commissioner Moore agreed with Mayor Naugle. This had been a great concern to him, and he had tried to express it to the Legislators during the trip to Tallahassee. He had tried to express the City's position that whatever areas were annexed, they had to be revenue neutral, and this concept might not be revenue neutral. He hoped that when staff met with the County tomorrow, these details could be finalized.

The City Manager noted that this was very much a work in progress, and staff was working with County staff at the request of Senator Dawson. He said the key point was that this should not be the reason why any community would not want to annex Melrose Park. The City Manager was trying to follow the dictates of this Commission as to areas being revenue neutral but, at the same time, no one wanted the Melrose Park community to feel that "nobody wanted them." He believed a report could be presented on May 1, 2001.

**Action:** As discussed.

11. MPO Study for Oakland Park Boulevard Exit of Turnpike

Commissioner Katz stated that \$120,000 had been appropriated by the MPO for a study of the Turnpike exit at Oakland Park Boulevard. She was vigorously opposed. She stated that the original request had been for \$1 million, and that had been scaled back to \$120,000, but she was still not happy about it. Commissioner Smith explained that Lauderdale Lakes and Lauderhill wanted the study. He thought the study could be derailed after the first \$120,000 phase of the study.

**Action:** None.

12. Board of Adjustment

Commissioner Katz said it had been brought to her attention that the Board of Adjustment could retain jurisdiction over its cases in order to follow-up on any conditions imposed on variances. The City Attorney advised that his office was researching this issue, and a recommendation would be forthcoming from staff, perhaps involving an amendment to the Code. He felt the real issue was how any conditions were followed up and enforced. Commissioner Hutchinson believed this had evolved from a case related to a property on South Federal Highway. She felt the Board of Adjustment needed to see how its decisions affected the community. The City Attorney explained that case had involved an interpretation and, once done, it was done. However, conditions on variances could be brought back to the Board.

Commissioner Hutchinson stated that the property on South Federal Highway had originally sold automobiles and accessories. The owner had wanted to rent the property to a Harley Davidson motorcycle shop that indicated it was going to sell accessories. However, the quality of life in the area had been destroyed because the Board had interpreted that the two uses were similar when, in fact, they were not. Mayor Naugle noted that the decision could be appealed.

**Action:** City Attorney to investigate.

13. FAU Design Committee

Commissioner Katz reported that the FAU Design Committee had presented a proposal, but the oversight committee had found it to be too academic. So, it was being modified, and she expected to be able to present it soon.

**Action:** None.

**V – City Manager Reports****1. Cherry Building**

The City Manager advised that a walk-on item would be presented this evening with regard to the Cherry Building. Commissioner Moore did not understand this issue and asked if it could be presented on May 1, 2001. Mayor Naugle noted that there had been a recommendation to demolish the building, and he had thought the City should at least determine if there was any interest in the relocating the building with a \$5,000 contribution from the City over a 60-day period. Commissioner Moore did not understand why there was a rush, and Mayor Naugle explained that the building was in the way of the fire station construction schedule.

Mr. Greg Kisela, Assistant City Manager, stated that a Request for Proposals (RFP) could be sought for 30 days to determine if there was any interest. It was the consensus of the Commission to offer an incentive of up to \$5,000 and offer it for 30 days.

**Action:** RFP to be issued as discussed.

**2. NFBPA Conference in Las Vegas**

The City Manager reported that he had attended the National Forum of Black Public Administrators (NFBPA) Conference in Las Vegas last week. There had been upwards of 1,200 participants, and it was scheduled to be held in Fort Lauderdale on its 20<sup>th</sup> anniversary in 2003. He also noted that Commissioner Moore had made an excellent presentation at the Public Policy Forum with regard to the number of programs in Fort Lauderdale that served as models.

**Action:** None.

**IV – City Commission Reports (Continued)****14. McKutchen Trial**

Mayor Naugle said he had recently received a summary of the cost of the McKutchen trial, and the City's attorney was billing \$325,000. He wondered if that bill had been paid yet. The City Attorney advised that this case had not been settled yet. The City Manager said he would provide a report on the costs.

**Action:** City Manager to provide report.

**15. National League of Cities**

Mayor Naugle said that this year he was on the Advisory Board of the National League of Cities, and he had been appointed to the Energy and Environmental Natural Resources Committee. He had been encouraged by some members of the Florida League of Cities to seek the office of Second Vice-President of the National League of Cities. Mayor Naugle thought he might have a chance and wondered if this Commission would support pursuit of that office. It was the consensus that Mayor Naugle should seek the office.

Commissioner Moore reported that he had been encouraged to run for the Second Vice-President of the Florid League of Cities. It was the consensus of the Commission to support this effort as well.

**Action:** As discussed.

Meeting adjourned at 5:46 P.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.